

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

DARREL ALONZO KEYES, #341-373	*	Civil Action No. JFM-07-1149
Plaintiff,	*	
v.	*	
RENA KAUFFMAN	*	
and	*	
PEARL VISION CENTER, INC.	*	
Defendants.	*	

MEMORANDUM

Pending is a pro se breach of contract complaint filed by Darrel Alonzo Keyes, an inmate at the Maryland Correctional Institution- Jessup. Plaintiff has filed a motion to proceed in forma pauperis which will be granted for the limited purpose of preliminary review. The court will dismiss the petition without prejudice for lack of subject matter jurisdiction.

Federal district courts have jurisdiction in civil actions arising under the Constitution and laws of the United States. *See* 28 U.S.C. §1331. In this case, plaintiff generally alleges that in August of 2006, he entered an employment contract with defendants to make eye wear. Plaintiff's claim neither asserts a violation of federal statute or constitutional guarantee, nor provides any factual predicate to raise a federal cause of action. In the absence of any federal claim, this court has jurisdiction only where there is diversity of citizenship between the parties. *See* 28 U.S.C. § 1332. Plaintiff neither asserts nor does this case satisfy the requirements for diversity jurisdiction. Accordingly, the Court will dismiss this case for lack of subject matter jurisdiction pursuant to Fed R Civ. P 12(h)(3) in a separate Order.

May 7, 2007
Date

/s/
J. Frederick Motz
United States District Judge